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NEA/IPA FOR LENTZ, NSC FOR PASCUALE

E.O. 12958: DECL: 11/19/2018
TAGS: [KPAL](#) [KWBG](#) [PA](#) [IS](#)
SUBJECT: UPDATE: GOI MASTER PLANS FOR AREA C WEST BANK
PALESTINIAN COMMUNITIES

REF: 20NOV2008 LAPENN-BARON E-MAIL

Classified By: Charge Luis G. Moreno for reasons 1.4 (b) and (d)

¶1. (C/NF) Oded Hermann, MOD POL-MIL advisor to Amos Gilad, called EconCouns November 18 with an update on the 14 outstanding master plans being developed/approved for Palestinian communities in Area C. Hermann reported that draft plans had been developed for half of these communities, and are now at various stages of the approval process. The Civil Administration is still developing the other seven plans.

¶2. (C/NF) The following seven plans are at various stages of the approval process:
-- Khirbat Ta'anach South (Jenin): This approval process is nearly complete. Hermann anticipates that the master plan will be finalized by the end of November.
-- Khirbat Um Reihan (Jenin): The comment period for this plan opened in July. There were (not further specified) public objections from Israelis, so the plan has been sent back to the review committee for revision. (NOTE: It is unclear whether these objections were raised by Israelis in nearby settlements, or whether they were raised by an Israeli NGO, BIMKOM, acting on behalf of the Palestinian village council. END NOTE)
-- Brukin North (Qalqiliya): The public comment period for this plan opened in August. There were (not further specified) public objections from Israelis, so the plan has been sent back to the review committee for revision. (NOTE: It is unclear whether these objections were raised by Israelis in nearby settlements, or whether they were raised by an Israeli NGO, BIMKOM, acting on behalf of the Palestinian village council. END NOTE)
-- Fazail North (Jericho); Although there are a lot of illegal structures here, all but the most recent construction is being grandfathered. The master plan has been published, and there has been no opposition. However, there was geographical overlap between this plan and Israeli plans for nearby communities, which needed to be reconciled. COGAT is seeking Ministerial (MOD) approval of a revised map, after which the plan will immediately be approved.
-- Khirbat ash-Shama West (Hebron): The 16-day public comment period ends at the end of next week; there have been no objections so far.
-- Khirbat at-Tawani (Hebron): This plan has been approved but not yet published; it will be published next month.
-- Khirbat at-Tih (Tulqaram): This plan has been approved but not yet published; it will be published next month.

¶3. (C/NF) The remaining seven plans are still being developed by the Civil Administration (no prospective completion date available):
-- Tarqumiya South (Tarqumiya)
-- Adna East (Hebron)
-- Jabel Harsa (Bethlehem)

-- Ash-Sheikh West (Bethlehem)
-- Hermel (Bethlehem)
-- Zabrat Kabira (Tulqaram)
-- Rashida (Bedouin encampment) (Jericho)

¶4. (C/NF) Hermann told EconCouns that Israel has a standard model for its master plans, which includes setting aside room for growth and space for public buildings (schools, clinics).

He said all of the master plans in question follow the Israeli model and past experience suggested that opening them to negotiation with local Palestinian officials during their initial development would only result in more land being used for housing rather than for public use. However, Hermann noted, they do have several opportunities to influence the plans once the initial draft has been published. Calls for public comment are published in major newspapers in Arabic as well as Hebrew, and anyone, Israeli or Palestinian, is welcome to respond during the two public comment periods. Beyond this mechanism, it is also possible to file a legal challenge with the Central Command. As a last resort, if a party has exhausted these mechanisms and is still dissatisfied with the results, the master plan can also be challenged in the High Court of Justice.

¶5. (C/NF) Herman told EconCouns that Israel had developed 400 village master plans for the West Bank prior to the second intifida, all of which had been turned over to the Palestinian Authority. He said that to his knowledge, none of these plans had been implemented by the PA. When EconCouns asked if anyone had ever put this issue on the agenda for the JEC or other appropriate joint committee, Herman said he did not know, but that this might be a good

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idea.

¶6. (C/NF) COMMENT: It is unclear to what extent the affected Palestinian village councils are utilizing the public comment/hearing mechanisms Hermann described to EconCouns as the first stage in the discussion process, or whether objections are first made known once the approval process is further along. Per ref ConGen-Embassy email, a few of the village councils are utilizing the services of BIMKOM, an Israeli NGO, to appeal to the GOI on their behalf. Embassy will follow up with BIMKOM to get details of the nature and status of these appeals. END COMMENT.

¶7. (C/NF) In addition to the above follow-up, Embassy will report GOI answers to the following questions as they are received:

-- Do master plans grandfather in all existing structures (legal or illegal), or could construction that predates a newly approved master plan be subject to future demolition?
-- What were the specific objections received for Khirbat Um Reihan and Brukin North, and who raised the objections?
-- When can the remaining seven plans be expected to be approved or ready for public comment?
Embassy will report these answers septel as they are received.

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